

BOARD OF APPEAL REFERRALS

JUNE 11, 1981

1. Z-5178-5180 Trustees of Boson University (Owner and Authorized
Z-5183-5188 Representative)
Z-5244-5264 Boston University properties
2. Z-5193 Parcel 2 Realty Trust, Boston Plaza Hotel Associates
39-49 Providence Street, Boston
3. Z-5204 Edwin Newdick
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4. Z-5209 David McCarren
1524 Hyde Park Avenue, Hyde Park
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9. Z-5226 37 West Newton Associates
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10. Z-5228 Stephen P. Michalowski
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11. Z-5229 Boston Medical Laboratory, Inc.
19 Bay State Road, Boston
12. Z-5231 Frank Strenk
1218-1222 Commonwealth Avenue, Allston
13. Z-5236 Gourmet Caterers
3867-3875 Washington Street, Roslindale
14. Z-5227 Nicholas L. Tilney
94 Beacon Street, Boston

June 11, 1981

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: Z-5178-5180; 5183-5188; 5244-5264
Trustees of Boston University (Owner and Authorized Representative) 90 St. Mary's Street; 258&264 Huntington Avenue; 632, 806-820, 824-826, 828, 830, 834, 836 Beacon Street; 565, 590, 594-598, 617, 619, 621, 627, 629, 983-985 Commonwealth Avenue; 61, 76, 110, 115, 205, 206, 207, 208, 209, 210, 212 Bay State Road

30 structures

District(s): apartment H-2, H-4 general business B-4 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Erect connecting bridge 258-264 Huntington Avenue; change occupancy of 28 structures to dormitories, student apartments, academic offices, classrooms, academic parking, laboratories (science center), cinema, student lounge, student laundry, real estate office, faculty-staff-student apartments, bank, restaurant, print shop, staff apartments.

Violation(s):

Section

- 7-4 In variance with former decision of Board of Appeal.
- 8-6 Change in conditional use requires Board of Appeal hearing.
- 8-6 Structural change to conditional use requires Board of Appeal hearing.
- 8-7 Dormitories not upon same lot but accessory to a degree granting university are conditional in H-2 and H-4 districts.
- 8-7 Degree granting university is conditional in a B-4 district.
- 8-7 Academic parking lot is conditional in restricted parking district.
- 8-7 Academic offices are conditional in H-2 and H-4 districts
- 9-2 Change in non-conforming use requires Board of Appeal hearing.
- 15-1 Floor area ratio is excessive.

Proposal generally conforms with BU Master Plan and City-BU Cooperation Agreement of July 15, 1980. 983-987 Commonwealth Avenue is outside of BU Master Plan area and will upgrade deteriorating property and allow university to relocate academic offices and print shop. 806-820, 824-26, 828, 830, 834 and 836 Beacon Street are outside of the BU Master Plan area, but adjacent to the Buswell Street/BU dormitory area. Expansion will lead to upgrading properties which have rapidly been deteriorating, and assist in stability of block. Connecting bridge between 258-264 Huntington will not negatively impact adjoining properties. Recommend Approval with provisos.

VOTED: In reference to petitions Z-5178-5180, 5183-5188, 5244-264, brought by Trustees of Boston University, 90 St. Mary's Street, 258 and 264 Huntington Avenue; 632, 806-820, 824-826, 828, 830, 834, 836 Beacon Street, 565, 590, 594-598, 617, 619, 621, 627, 629, 983-985 Commonwealth Avenue, 61, 76, 110, 115, 205, 206, 207, 208, 209, 210, 212 Bay State Road, Boston, for thirty seven conditional uses, three changes in non conforming uses and eight variances to erect connecting bridge and change occupancy of 28 structures to dormitories, student apartments, academic offices, classrooms, academic parking, laboratories (science center), cinema,

student lounge, student laundry, real estate office, faculty-staff-student apartments, bank, restaurant, print shop, staff apartments in apartment (H-2 and H-4) and general business (B-4) districts, the Boston Redevelopment Authority recommends approval with provisos for the following petitions:

617, 619, and 621 Commonwealth Avenue

That all office use of these buildings are to be relocated from 206, 208, 210 and 212 Bay State Road.

206, 207, 208, 209, 210 and 212 Bay State Road

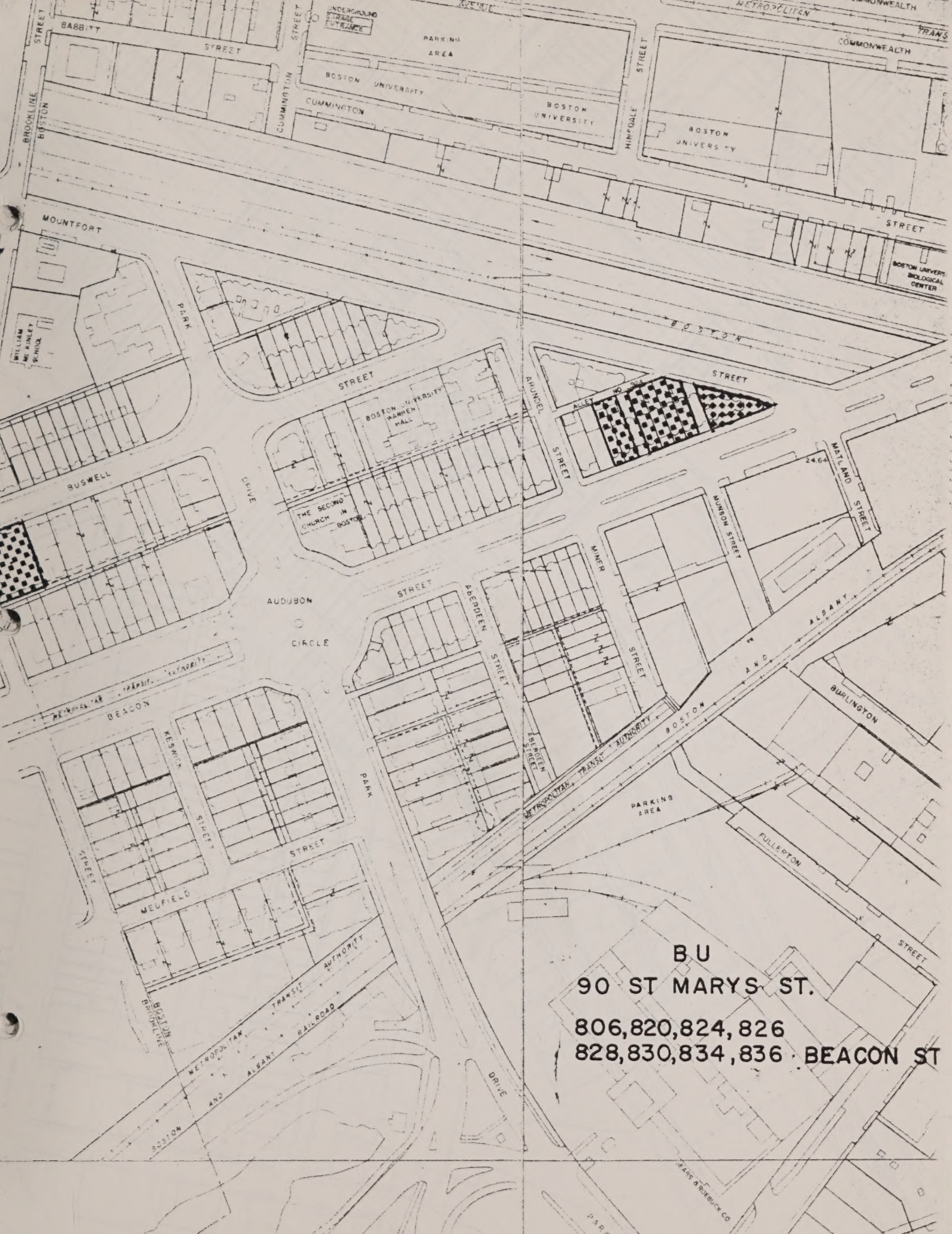
That by September 1981 appellant will eliminate 73 undergraduate students from the following addresses: 65, 71, 81 and 83 Bay State Road.

632 Beacon Street

That by September 1981 appellant will eliminate 64 undergraduate students from the following addresses: 79 Bay State Road and 2 Raleigh Street; that by September 1982 appellant will eliminate 119 undergraduate students from the following addresses: 84, 86, 88, 90, 92 and 94 Bay State Rd.

Formal Board of Appeal decisions will be subject to the following:

Submission to the Board of Appeal by the Appellant in conformance with the BU Cooperation Agreement written evidence that existing residential tenants have been notified that they can remain indefinitely at 90 St. Mary's, 806-820, 824-826, 828, 830, 834, 836 Beacon Street and 61, 76, 110, 115 Bay State Road; per Cooperation Agreement that full real estate taxes will continue to be paid on 90 St. Mary's, 806-820, 824-826, 828, 830, 834, 836 Beacon Street, 565, 590, 594-598 617, 619, 621 and 983-985 Commonwealth Avenue and 61, 76, 110, 115, 205 Bay State Road; that commitment to landscape 565 Commonwealth Avenue be submitted to the Authority.

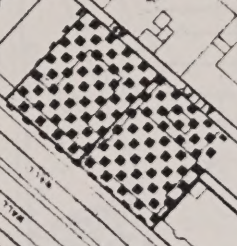


BU
90 ST MARYS ST.
806,820,824,826
828,830,834,836 BEACON ST



ALBEMARLE STREET
HUNTINGTON AVENUE
NORTHAMPTON STREET
WATSON STREET
CAMDEN STREET
HUNTINGTON AVENUE
SYMPHONY STREET
ALLEY
PARKING
MTA STATION
ST BOTOLPH
OPERA PL.
ST STEPHEN
PARKING
GAINSBOROUGH ROAD
ALLEY
PARKING
MASSACHUSETTS
PARKING
WESTLAND
HUNTINGTON AVENUE

BU
258-264 HUNTINGTON AVE.

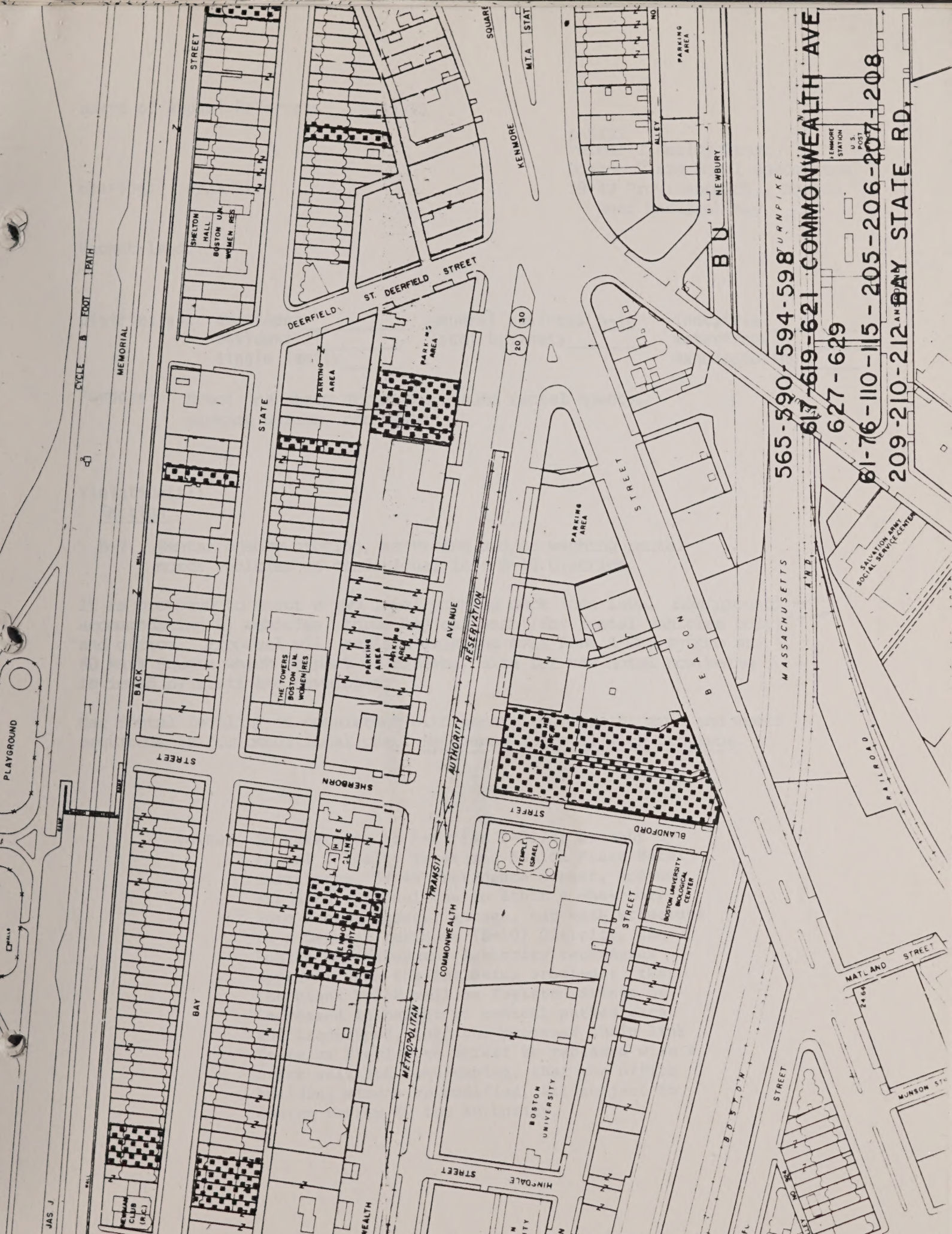


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BU

983-985 COMMONWEALTH AVE.



JAS J

PLAYGROUND

CYCLE & FOOT PATH

MEMORIAL

BACK

STREET

BAY

STREET

STATE

THE TOWERS
BOSTON UN
WOMEN RES

SHERBORN

LEWIS CLINIC

DEERFIELD

ST. DEERFIELD STREET

PARKING AREA

PARKING AREA

PARKING AREA

METROPOLITAN

TRANSIT

COMMONWEALTH

AVENUE

AUTHORITY

RESERVATION

STREET

HINDALE

BOSTON UNIVERSITY

STREET

BLANDFORD

BOSTON UNIVERSITY
BIOLOGICAL
CENTER

STREET

BEACON

BOSTON

STREET

MATLAND STREET

MUNSON ST

KENMORE

MTA STAT

BU NEWBURY

MASSACHUSETTS

565-590-594-598 TURNPIKE

617-619-621 COMMONWEALTH AVE

627-629

61-76-110-115-205-206-207-208

209-210-212 AND BAY STATE RD

KENMORE
STATION
U.S. POST

SALVATION ARMY
SOCIAL SERVICE CENTER

Board of Appeal Referrals 6/11/81

Z-5193
Parcel 2 Realty Trust
Boston Plaza Hotel Associates
39-49 Providence St., Boston
near Hadassah Way

Hearing: 6/23/81.

Vacant land.

District(s): apartment _____ general business B-10 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Erect one-story structure - auto rental agency,
parking garage, car wash.

Violation(s):
Section

8-7. Rental agency storing, servicing and/or washing rental
motor vehicles is conditional in a B-10 District.

It is proposed to erect a two level parking deck (one level underground) accommodating 61 vehicles, three bay car wash (for rental vehicles only) and office. Proposal will replace existing Avis Rent A Car system at 60 Park Square which is part of assembly site for new hotel now being reviewed by staff and developer.

Car rental facility is consistent with general commercial area and meets requirements for conditional use. Recommend approval with provisos.

VOTED: In reference to Petition Z-5173, brought by Parcel 2 Realty Trust and Boston Plaza Hotel Associates, 39-49 Providence Street, Boston, for a conditional use to erect a one-story auto rental agency, garage, car wash structure in a General Business (B-10) District, the Boston Redevelopment Authority recommends approval with the following provisos: that the blank brick wall on Boylston Street be increased in height to conceal parked cars and landscaped, that the proposed chain link fence on Providence Street be replaced with a brick wall and landscaping, that the office building window be modified, all subject to design review by the Authority.



PUBLIC GARDEN

Z-5193

39-49 PROVIDENCE ST.

POND (B.P.)

HADASSAH WAY

ELIOT STREET

CHURCH AVENUE

CHURCH

COLUMBUS STREET

STUART STREET

PIEDMONT STREET

STREET

AVENUE

STREET

AVENUE

AVENUE

STREET

STREET

NEWBURY STREET

BOLTON STREET

STREET

PROVIDENCE STREET

ST. JAMES STREET

WACCOCK STREET

WACCOCK STREET

BERKELEY STREET

UNIVERSITY STREET

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Board of Appeal Referrals 6/11/81

Z-5204
Edwin Newdick
580-584 Tremont St., Boston
at Union Park

Hearing: 6/23/81.

Four-story structure.

District(s): apartment H-3 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from seven apartments and two stores to seven apartments, store, restaurant.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
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8-7. Restaurant is forbidden in an H-3 District.

7-4. In variance with former decision of Board of Appeal.

Vacant storefront would be converted to bakery - restaurant.
Light meals will be served from 10 AM to 10 PM; no liquor involved.
Neighborhood supports proposal. Recommend approval.

VOTED: In reference to Petition Z-5204, brought by Edwin Newdick, 580-584 Tremont St., Boston, for a forbidden use and variance for change of occupancy from seven apartments, two stores to seven apartments, store, restaurant in an Apartment (H-3) District, the Boston Redevelopment Authority recommends approval. Vacant storefront would be restored to viable occupancy. Proposal, which has neighborhood support, is compatible with residential-local business area.



Z-5204
580-584 TREMONT ST.
(B.P.)

Board of Appeal Referrals 6/11/81

Hearing: 6/30/81.

Z-5209
David McCarren
1524 Hyde Park Ave., Hyde Park
near Madison St.

1 1/2 story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential R-.5_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Erect one-story addition to a one-family dwelling.

Violation(s):

Section

Required

Proposed

19-1. Side yard is insufficient.

Area is residential-industrial. Yard violation will not adversely affect abutting properties. Recommend approval.

VOTED: In reference to Petition Z-5209, brought by David McCarren, 1524 Hyde Park Ave., Hyde Park, for a variance to erect a one-story addition to a one-family dwelling in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval. Yard violation will not adversely affect abutting properties.



Z-5209
1524 HYDE PARK AVE.
(H. P.)

Board of Appeal Referrals

6/11/81.

Z-5210
 William & Ruth Elliot
 1386 Dorchester Ave.,
 Dorchester

Hearing: 6/30/81.

One-story structure.

District(s):	apartment_____	general business B-1_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from sales and installation of tires to sales and installation of tires and mufflers; use premises for accessory outdoor storage of equipment, parts, vehicles.

Violation(s):

SectionRequiredProposed

8-7. Repair garage is conditional in a B-1 District.

8-7. Outdoor storage of equipment, parts and vehicles is forbidden in a B-1 District.

Sales - installation of tires and mufflers has existed for several years. Proposed storage would be located in rear lot facing Greenwich St. which is primarily residential. Abutters and residents have expressed concerns re rear lot conditions: maintenance, security dog, storage of cars and trucks awaiting repair. Recommend approval of conversion with provisos and denial of outdoor storage.

VOTED: In reference to Petition Z-5210, brought by William & Ruth Elliot, 1386 Dorchester Ave., Dorchester, for a conditional use and a forbidden use for change of occupancy from sales and installation of tires to sales and installation of tires and mufflers and use premises for accessory outdoor storage of equipment, parts and vehicles in a General Business (B-1) District, the Boston Redevelopment Authority recommends denial of outdoor storage and approval of existing sales - installation conversion with the following provisos: that the rear lot be cleaned and maintained in an orderly manner; that trailers and repair vehicles be removed; that suitable landscaping be installed on Greenwich Street as buffer between automotive and residential properties.



Z-5210
1386 DORCHESTER AVE
(DOR.)

Board of Appeal Referrals 6/11/81.

Z-5211
South End Community Services Inc.
669-669A Tremont St., Boston
at Pembroke St.

Hearing: 6/23/81.

4 1/2 story row structure.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-2</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from lodging house and two stores to ten apartments; erect addition.

Violation(s):

Section

Required

Proposed

- 15-1. Floor area ratio is excessive.
- 17-1. Open space is insufficient.
- 20-1. Rear yard is insufficient.
- 23-1. Off-street parking is insufficient.

Structure, vacant for approximately 13 years, will be substantially rehabilitated for elderly and handicapped housing. There are no objections to this beneficial use, however staff recommends that Board of Appeal defer decision pending resolution of building tax status.

VOTED: In reference to Petition Z-5211, brought by South End Community Services Inc., 669-669A Tremont St., Boston, for four variances for change of occupancy from lodging house and two stores to ten apartments and erect addition in a Local Business (L-2) District, the Boston Redevelopment Authority recommends that Board of Appeal defer decision pending resolution of building tax status.



Z-5211

669-669A TREMONT ST.
(B.P.)

Board of Appeal Referrals 6/11/81.

Z-5223
June Jensen & Robert Granich
14 Rockmere St., Dorchester
near Caspian Way

Hearing: 6/30/81.

2 1/2 story structure.

District(s):	apartment _____	general business _____	industrial _____
	residential R-.5 _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: Change occupancy from four to three family dwelling.

Violation(s):

Section

Required

Proposed

9-2. Change in a non-conforming use requires Board of Appeal hearing.

First floor of structure presently containing two small units would be converted to a 5 1/2 room single unit. No objections.

Recommend approval.

VOTED: In reference to Petition Z-5223, brought by June Jensen & Robert Granich, 14 Rockmere St., Dorchester, for a change in a non-conforming use for change of occupancy from four to three family dwelling in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval. Conversion will make the property more consistent with the low density residential neighborhood.



Z-5223
14 ROCKMERE ST.
(DOR.)

SAVIN HILL
PARK

PARK

Board of Appeal Referrals 6/11/81.

Z-5225
Edward R. & Carol Rogers
7 Barnes Ave., East Boston
at Bayswater St.

Hearing: 6/30/81.

1 1/2 story structure.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: Erect carport.

Violation(s):

Section

Required

Proposed

18-4. Front yard is insufficient.

20-1. Rear yard is insufficient.

Abuttor, residents and Little City Hall have no objections to 27' x 9' carport in rear of one-family structure. Recommend approval.

VOTED: In reference to Petition Z-5225, brought by Edward R. & Carol Rogers, 7 Barnes Ave., East Boston, for two variances to erect a carport in a Local Business (L-1) District, the Boston Redevelopment Authority recommends approval. Carport proposal is appropriate and beneficial in residential neighborhood.



Z-5225
7 BARNES AVE.
(E. B.)

Board of Appeal Referrals 6/11/81.

Hearing: 6/23/81.

4 1/2 story structure.

Z-5226

37 West Newton Associates
37 West Newton St., Boston
near Washington St.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-2</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from lodging house to six apartments.

Violation(s):

Section

Required

Proposed

15-1. Floor area ratio is excessive.

17-1. Open space is insufficient.

Structure is severely fire damaged and has been vacant for many years. Blackstone Square, a large landscaped park, is located directly opposite site. Recommend approval with proviso.

VOTED: In reference to Petition Z-5226, brought by 37 West Newton Associates, 37 West Newton St., Boston, for two variances for change of occupancy from lodging house to six apartments in a Local Business (L-2) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-5226

37 WEST NEWTON ST
(B.P.)



Board of Appeal Referrals 6/11/81.

Z-5228
Stephen P. Michalowski
123-125 Anawan Ave.,
West Roxbury
near Stratford St.

Hearing: 6/30/81.

2 1/2 story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.5</u>		manufacturing_____

Purpose: Change occupancy from one family dwelling to
one family dwelling and insurance-real estate office.

Violation(s):		
<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Insurance-real estate office is forbidden in an S-.5 District.		

Condition has existed for 25 years. No residents of Anawan Avenue have expressed opposition. However residents of nearby streets have expressed concerns re possible growth of business and additional traffic. Recommend approval with provisos.

VOTED: In reference to Petition Z-5228, brought by Stephen P. Michalowski, 123-125 Anawan Ave., West Roxbury, for a forbidden use for change of occupancy from one family dwelling to one family dwelling and insurance-real estate office in a Single Family (S-.5) District, the Boston Redevelopment Authority recommends approval with the following provisos: that use expire and be reviewed in one year for determination of any adverse impacts; that use extend to petitioner only and expire upon sale, lease or other disposition of property; that there be no additional signs or advertising on premises.



Z-5228

123-25 ANAWAN AVE

(W.R.)

Board of Appeal Referrals

6/11/81.

Z-5229

Boston Medical Laboratory Inc.
19 Bay State Rd., Boston
at Beacon St.

Hearing: 6/23/81.

Five-story row structure.

District(s):	apartment <u>H-4</u>	general business <u></u>	industrial <u></u>
	residential <u></u>	local business <u></u>	waterfront <u></u>
	single family <u></u>		manufacturing <u></u>

Purpose: Change occupancy from doctors' offices to
travel agency, offices, dentist offices.

Violation(s):

Section

Required

Proposed

8-7. Offices are forbidden in an H-4 District.

Proposed travel agency with attendant activity is inappropriate
and a further commercial encroachment into a residential area.

Recommend denial.

VOTED: In reference to Petition Z-5229, brought
by Boston Medical Laboratory Inc., 19
Bay State Rd., Boston, for a forbidden
use for change of occupancy from doctors'
offices to travel agency, offices,
dentist offices in an Apartment (H-4)
District, the Boston Redevelopment Authority
recommends denial. Proposed travel agency
with attendant activity is inappropriate
and a further commercial encroachment into
a residential area.

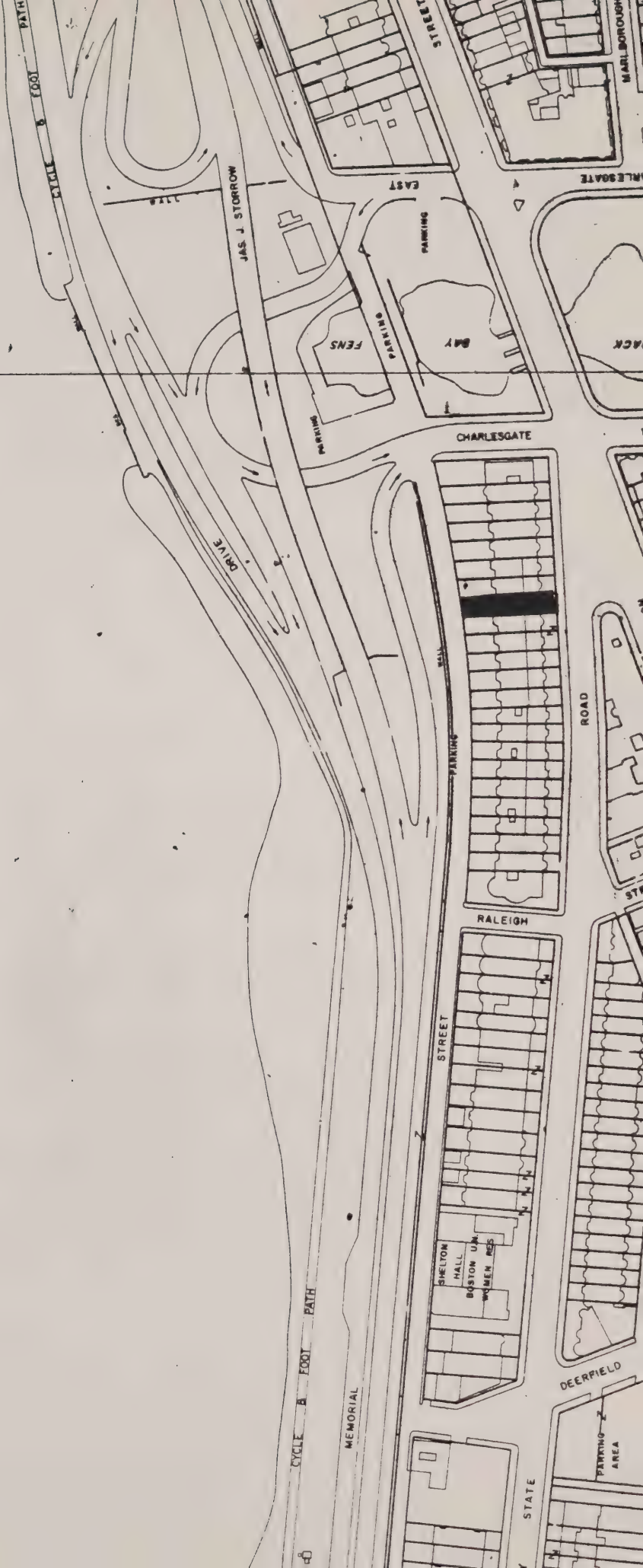
Z-5229

19 BAY STATE RD.

(B.P.)

BASIN

VER



Board of Appeal Referrals 6/11/81.

Hearing: 6/23/81.

Four story structure.

Z-5231
Frank Strenk
1218-1222 Commonwealth Ave.,
Allston
at Harvard Ave.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-1</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: Increase seating capacity of restaurant.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
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9-1. Extension of a non-conforming use requires
 Board of Appeal hearing.

Surrounding area is residential-commercial with a large concentration of pubs and restaurants. Proposal would intensify existing parking congestion and noise level particularly in early morning hours, a critical concern of residents. Neighborhood organizations and Little City Hall are opposed. Recommend denial.

VOTED: In reference to Petition Z-5231, brought by Frank Strenk, 1218-1222 Commonwealth Ave., Allston, for an extension of a non-conforming use to increase capacity of restaurant in a Local Business (L-1) District, the Boston Redevelopment Authority recommends denial. Surrounding area is residential-commercial with a large concentration of pubs and restaurants. Proposal would intensify existing parking congestion and noise level particularly in early morning hours, a critical concern of neighborhood residents.



Z-5231

1218-1222 COMMONWEALTH AVE.
(ALLSTON)

Board of Appeal Referrals 6/11/81.

Z-5236
Gourmet Caterers
3867-3875 Washington St.
Roslindale
at Lanesville Ter.

Hearing: 6/30/81.

1 1/2 story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing <u>M-1</u>

Purpose: Erect one story addition to catering structure.

Violation(s):

Section

Required

Proposed

18-1. Front yard is insufficient.

Addition will be used for office space. Violation will not affect properties in this commercial district. Recommend approval.

VOTED: In reference to Petition Z-5236, brought by Gourmet Caterers, 3867-3875 Washington St., Roslindale, for a variance to erect a one-story addition in a Manufacturing (M-1) District, the Boston Redevelopment Authority recommends approval. Violation will not affect properties in this commercial district.

Z-5236

3867-3875 WASHINGTON ST.

(ROS.)



Board of Appeal Referrals 6/11/81

Z-5227

Nicholas L. Tilney
94 Beacon St., Boston
near Arlington St.

Hearing: 6/30/81

4 1/2 story structure.

District(s):	apartment <u>H-2-65</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: Erect one story addition to five unit
apartment structure.

Violation(s):

Section

Required

Proposed

15-1. Floor area ratio is excessive.

Proposed rear 20' x 11' addition will not adversely affect
abutting properties. Recommend approval with proviso.

VOTED: In reference to Petition **Z-5227** brought by
Nicholas L. Tilney, 94 Beacon St., Boston, for
a variance to erect a one-story addition to an
apartment structure in an Apartment (H-2-65)
District, the Boston Redevelopment Authority
recommends approval provided plans are submitted
to the Authority for design review.



Z-5227

94 BEACON ST.
(B.P.)

PUBLIC

GARDEN

ARLINGTON

FIRST LUTHERAN CHURCH

UNIONIAN FIRST CHURCH IN BOSTON

HARRISON

STREET

STREET

STREET

STREET

STORM W

MEMORIAL

DRIVE

CHESTNUT STREET

BEAVER STREET

ST. JAMES STREET

BRIMMER STREET

BYRON STREET

RIVER STREET

CHARLES STREET

BEACON STREET

STREET

UNDERGROUND GARAGE EXIT

UNDERGROUND GARAGE

EMBANKMENT

EMBANKMENT

LAGOON

MUSIC OVAL

HATCH MEMORIAL SHELL

MT. VERNON

OTIS

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